

Central Region Review



U.S. Army Environmental Command Central Regional Office Kansas City, Missouri



★ FEBRUARY 2007 ★

★ REGIONS 6 & 7 ★

The *CENTRAL REGION REVIEW* provides current information on significant federal and state legislative regulatory developments in federal Regions 6 and 7. Versar, Inc., in support of the Central Regional Environmental Office (CREO), prepares the *REVIEW* to assist you in your compliance efforts. Current and past issues of the *REVIEW*, as well as regional updates and alerts, are available on the Internet at <http://aec.army.mil/usaec/reo/creo00.html>. Please e-mail CREO.regulatory.specialist@nwk02.usace.army.mil or call (816) 389-3327 if you have any questions or suggestions, or if you would like to subscribe to the *REVIEW*.

CONTENTS

Region 6 State Activity – Arkansas	2
Region 6 State Activity – Louisiana	3
Region 6 State Activity – New Mexico	4
Region 6 State Activity – Oklahoma	8
Region 6 State Activity – Texas	10
Region 7 State Activity – Iowa	14
Region 7 State Activity – Kansas	15
Region 7 State Activity – Missouri	17
Region 7 State Activity – Nebraska	19
Federal Actions	20
Regional Meetings	21
Training Courses and Workshops	21
Conferences and Symposiums	23
Acronyms and Abbreviations	23

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Stakeholders Guide Books Now Available on Denix. These four guidebooks were developed to help DoD officials and installations to gain an understanding as to how state and local governments make land use decisions that may affect military operations and to facilitate communications and potential collaboration among stakeholders on encroachment issues as well as land use planning and working with land trusts. For a hard copy of any or all of the guides, please call either the Region 6 Army REC at (816) 389-3450 or the Region 7 Army REC at (816) 389- 3448. The link to these and other tools is

https://www.denix.osd.mil/denix/Public/Library/Sustain/Ranges/sustainable_ranges.html.

Working with State Legislators: A Guide for Military Installations and State Legislators - by National Conference of State Legislatures (NCSL). The specific link to the NCSL guide is

<https://www.denix.osd.mil/denix/Public/Library/Sustain/Ranges/SH-Guidebooks/Guide-NCSL-State-Legislators.pdf>

Working with Local Governments: A Practical Guide for Installations - by International City/County Management Association (ICMA) and National Association of Counties (NACo). The link to the NACo guide is <https://www.denix.osd.mil/denix/Public/Library/Sustain/Ranges/SH-Guidebooks/Guide-ICMA-NACo-LocalGovernment.pdf>.

Collaborative Land Use Planning: A Guide for Military Installations and Local Governments - by International City/County Management Association (ICMA) and Metropolitan Institute at Virginia Tech (MIVT). To access this guide, please go to https://www.denix.osd.mil/denix/Public/Library/Sustain/Ranges/SH-Guidebooks/Guide_ICMA_MIVT_Collab-Land-Use.pdf

Working with Land Trusts: A Guide for Military Installations and Land Trusts - by Land Trust Alliance (LTA). This guide can be found at https://www.denix.osd.mil/denix/Public/Library/Sustain/Ranges/SH-Guidebooks/LTA_092706-final.pdf.

[\[Top\]](#)

REGION 6 STATE ACTIVITY

Regulatory & Legislative Web Sites

Arkansas Department of Environmental Quality (ADEQ)	http://www.adeq.state.ar.us
Arkansas General Assembly	http://www.arkleg.state.ar.us/
Louisiana Department of Environmental Quality (LDEQ)	http://www.deq.state.la.us
Louisiana Legislature	http://www.legis.state.la.us/
New Mexico Environment Department (NMED)	http://www.nmenv.state.nm.us/
New Mexico Legislature	http://legis.state.nm.us/
Oklahoma Department of Environmental Quality (ODEQ)	http://www.deq.state.ok.us
Oklahoma Legislature	http://www.lsb.state.ok.us/
Texas Commission on Environmental Quality (TCEQ)	http://www.tceq.state.tx.us/
Texas Legislature	http://www.capitol.state.tx.us/

ARKANSAS

Legislative/Regulatory Activity

NOTICE: With regard to any regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The Arkansas legislature commenced on 8 January and is scheduled to adjourn 9 March 2007.

No significant legislative or regulatory activities during this reporting period.

[\[Top\]](#)

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The Louisiana legislature will convene on 30 April and adjourn on 28 June 2007.

STATE OF LOUISIANA FINAL RULE

(Effective 20 January 2007) LA Department of Environmental Quality Final Regulations: Deletion of State Manifest Requirements (HW093) (LAC 33:V.1107 and 5136). The Department has adopted amendments to its state manifest requirements for hazardous waste. The rulemaking removes state manifest requirements that are no longer valid. The amendments incorporate the federal manifest requirements that were adopted on 5 September 2006. The revisions include fee requirement changes and deletion of inconsistent language in the regulations. The effective date is 20 January 2007. The final amendments are available at <http://www.doa.louisiana.gov/osr/reg/0701/0701RUL.pdf> (Page 88). For additional information, please call Judith Schuerman at (225) 219-3550.

STATE OF LOUISIANA PROPOSED RULES

(NEW) LA Department of Environmental Quality Proposed Regulations: CAIR NO_x Trading Programs (AQ261) (LAC 33:III.506). LDEQ is proposing amendments to its air regulations regarding the Clean Air Interstate Rule (CAIR) and the Nitrogen oxide (NO_x) trading program. This proposed rule defines the state's method under the CAIR Annual and Ozone Season NO_x Trading Programs for allocating NO_x allowances to EGUs subject to CAIR. Section 51.123 of the federal CAIR allows states some flexibility in implementation of certain rule provisions related to methods for allocating NO_x allowances. The proposed rule establishes state provisions in lieu of 40 CFR 97, Subpart EE - CAIR NO_x Allowance Allocations, §97.141 and §97.142, and 40 CFR 97, Subpart EEEE - CAIR NO_x Ozone Season Allowance Allocations, §97.341 and §97.342. To determine the impact of CAIR implementation on Louisiana electricity ratepayers, DEQ requested assistance from the Louisiana Public Service Commission (LPSC). Pursuant to this request, the LPSC contracted the service of the Louisiana State University Center of Energy Studies. Recommendations concerning the implementation of CAIR in Louisiana were provided to DEQ from the LPSC in a staff paper and supplement. These rule provisions are consistent with the LPSC recommendations. Once promulgated, this rule will be submitted to EPA as a revision to the air quality SIP for Louisiana. A public hearing will be held on 27 February 2007. Comments are due on 6 March 2007. The proposed rule is available at <http://www.doa.louisiana.gov/osr/reg/0701/0701NOI.pdf> (Page 124). For additional information, please call Judith Schuerman at (225) 219-3550.

(NEW) LA Department of Environmental Quality Proposed Regulations: Revision to the Water Quality Management Plan Volume 3: Permitting Guidance Document for Implementing Louisiana Surface Water Quality Standards. The Department is proposing amendments to its Water Quality Management Plan, Volume 3: Permitting Guidance Document for Implementing Louisiana Surface Water Quality Standards. Under the authority of the Environmental Quality Act, R.S. 30:2071 et seq., the secretary gives notice that procedures have been initiated to amend Volume 3 of the Louisiana Water Quality Management Plan (WQMP). Federal law governing water quality standards (Water Quality Act of 1987 PL 100-4 Section 303 (c)) requires that states review and revise as appropriate their water quality standards at least once every three years. The Permitting Guidance Document for Implementing Louisiana Surface Water Quality Standards, as part of the Louisiana Water Quality Management Plan, establishes procedures to execute Louisiana's water quality standards into LPDES surface water discharge permits. The most recent Triennial Revision of the Water Quality Standards (Log #WQ054) proposes an updated method for the application of toxic and metals criteria in estuarine areas. These revisions are found in LAC 33:IX.1105 (definitions), LAC 33:IX.1113.C.6.b, and LAC 33:IX.1113.C.6.d. Therefore, the Water Quality Management Plan, Volume 3, Section 5, is to be revised accordingly. A public hearing was held on 24 January 2007. Comments are due 15 February 2007. The proposed rule is available at www.deq.louisiana.gov/portal/tabid/1669/default.aspx. For more information, please call Kimberly Cornelison at (225) 219-3598.

(UPDATE) **LA Department of Environmental Quality Proposed Regulations: Notification and Reportable Quantity List, OS071 (LAC 33:I.3908, 3909, and 3931).** LDEQ is proposing amendments that require the owner or operator of any source that releases an unauthorized amount of a toxic air pollutant at a rate greater than the reportable quantity listed in the regulations to determine compliance with the appropriate ambient air standard listed in the regulatory table, when the modeling is requested by the Department. This rule also modifies the table of reportable quantities for total highly reactive volatile organic compounds (HRVOCs). This rulemaking also updates the groundwater contamination notification regulations for releases. The department has made substantive changes to address comments received during the public comment period of proposed rule OS071. The provisions relating to modeling of toxic air pollutants were removed from OS071. Language was added to OS071 in order to clarify written notification procedures for unauthorized discharges resulting in the contamination of the groundwater. Several other unrelated changes were also made to the Reportable Quantities Table. A public hearing on the revisions was held on 24 January 2007. Comments were due 31 January 2007. The proposed regulations are available at www.deq.louisiana.gov/portal/tabid/1669/default.aspx. For more information, please call Judith Schuerman at (225) 219-3168.

[\[Top\]](#)

NEW MEXICO

Legislative/Regulatory Activity

NOTICE: With regard to any regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The Legislature, which convened the 2007 regular session on 16 January 2007, will move very quickly this year, as by rule, they may meet for no more than 60 days. The Legislature is scheduled to adjourn the 2007 session 17 March. There is no crossover deadline, and bills will often remain in their initial committee of referral until late in session.

STATE OF NEW MEXICO PROPOSED LEGISLATION

(NEW) **New Mexico H.B. 13 - Growth Management, Land Use, Water Use.** This measure provides that, for the purpose of preserving and protecting water resources and to provide an assured water supply for the community, the county or municipal zoning authority may require: (1) site development standards to conserve water and minimize water loss; (2) water harvesting and storage; (3) low water use landscaping and plant materials; (4) water use limitations; (5) recycling and reuse of water; or (6) water quality protections. Conservation of the state's water supply is a perennial issue of concern for the legislature. Sources were unable to indicate if this bill will be considered a priority. H.B. 13 has not garnered any co-sponsorship. The bill was introduced and referred to the House Agriculture and Water Resources Committee on 17 January 2007, which reported this measure without recommendation on 25 January by a vote of 4-2. The bill will now be reviewed by the Energy and Natural Resources Committee. For more details, please go to <http://legis.state.nm.us/Sessions/07%20Regular/bills/house/HB0013.pdf>. Sponsor: Representative Peter Wirth (D).

(NEW) **New Mexico H.B. 48 - Cleanup, Land Use, Voluntary Remediation.** H.B. 48 enacts the Uniform Environmental Covenants Act that provides for covenants restricting the use of real property subject to environmental remediation. This measure stipulates that any person who owns interest in real property, an agency or municipality or other unit of local government may be a "holder" (grantee of a covenant) and being a holder constitutes an interest in real property. It further stipulates that persons signing the covenant are bound by its obligations but does not change any obligations or rights granted or imposed under other laws. It also sets rules to determine interests in real property at the time a covenant is created or amended and defines what a covenant shall and may contain. Other provisions state that: 1) covenants complying with this Act run with the land; 2) the Environment Department or another agency that approves the covenant may require persons who it specifies who have interests in the real property to sign the covenant; 3) the Act does not authorize a use of real property that is otherwise prohibited by zoning, other law, or a recorded instrument that has priority over the covenant; the Act allows a covenant to prohibit or restrict a use of real property that is authorized by zoning or other law; and 4) the Act sets procedures for amending or terminating the covenant; the Act specifies that interest in real property is not affected by an amendment to the covenant unless the current owner of the interest consents to the amendment or has waived in a signed record the right to consent. The Act provides for civil action for injunctive relief for violations by a party to the covenant; an agency, a person to whom the covenant expressly grants power to enforce, or, a municipality or other local government in which the property is located. Prospects for consideration are favorable. The Uniform Environmental Covenants Act is a model ordinance

that was drafted and approved by the National Conference of Commissioners on Uniform State Laws (NCCUSL). Representative Heaton, who is sponsoring this measure on behalf of the Interim Radioactive and Hazardous Materials Committee, sponsored similar legislation during the 2005 session that stalled in the Senate after unanimously passing the House. Senator Phil Griego (D) is sponsoring companion legislation in the Senate in the form of S.B. 279. It is unclear at this time which of these measures may serve as the vehicle for this issue. This measure was introduced and referred to the House Energy and Natural Resources Committee on 17 January 2007. Should the Committee report this measure with a favorable recommendation, it would next require review by the Judiciary Committee. The New Mexico Environment Department has expressed concerns because this bill does not exempt groundwater from its coverage. For more details, please go to <http://legis.state.nm.us/Sessions/07%20Regular/bills/house/HB0048.pdf>. Sponsor: Representative John Heaton (D) Companion Bill: 2007 S.B. 279

CREO Comment: The DoD REC for New Mexico has submitted written comments in support of this legislation and included suggested language more favorable to DoD participation.

(NEW) New Mexico H.B. 318 - Air, Emissions, Mercury. H.B. 318 amends existing law relating to the duties and powers of the environmental improvement board so as to provide that the board may adopt regulations requiring the installation of best available control technology for mercury emissions from all power plants that are at least as stringent as, and may be more stringent than, any applicable federal regulation. Representative Wirth, a member of the committee of referral, sponsored similar legislation in 2005. That measure, H.B. 1004, would have allowed the state to maintain current regulations regarding mercury emissions, regardless of changes at the national level. The bill was reported without a recommendation and died when the legislature adjourned. Sources were unable to indicate if this bill will be considered a priority by the Committee. However, Representative Wirth has contended that "regulating mercury emissions at power plants" will be one of his goals for this session. Additionally, please note that Representative Mimi Stewart (D) has introduced related legislation, H.B. 386 that revises the same section of existing law. H.B. 386, however, addresses rules on emissions from oil and gas operations. H.B. 318 was introduced and referred to the House Energy and Natural Resources Committee on 23 January 2007. For more details, please go to <http://legis.state.nm.us/Sessions/07%20Regular/bills/house/HB0318.pdf>. Sponsor: Representative Peter Wirth (D)

(NEW) New Mexico H.B. 330 - Water Use. The Interstate Stream Commission is authorized by this measure to develop and construct infrastructure related to the strategic water reserve and exempts leases from the strategic water reserve from provisions requiring the State Board of Finance or legislative approval. It is unclear at this time how this measure will be considered. H.B. 330 was introduced and referred to the House Agriculture and Water Resources Committee on 23 January 2007. Should the Committee report this measure with a favorable recommendation, it would next require review by the Judiciary Committee. According to committee staff, an amendment that would significantly weaken the intent of the bill by removing language exempting leases of water or water rights from requiring approval by the State Board of Finance or the Legislature. The amendment is being pushed by the Department of Finance and Administration. The intent of this bill is to expedite the process of leasing water rights in the Strategic Water Reserve by eliminating the need to bring leases before the State Board of Finance or the Legislature. Representative Moore is a member of the minority party and does not sit on the committee of referral. This bill will likely need to pick up bipartisan support to advance through the second chamber, as partisanship can be a significant factor for a bill even receiving a hearing in committee. For more details, please go to <http://legis.state.nm.us/Sessions/07%20Regular/bills/house/HB0330.pdf>. Sponsor: Representative Brian Moore (R)

(NEW) New Mexico H.B. 386 - Air, Climate Change / Greenhouse Gas, Emissions. H.B. 386 amends existing law relating to the duties and powers of the environmental improvement board so as to provide that the board may adopt regulations governing emissions from exploration, development, extraction, production, treatment, separation, processing, storage, transport, refining or sale of unrefined hydrocarbons, field gas, natural gas, natural gas liquids, condensate or carbon dioxide that shall be at least as stringent as, and may be more stringent than, any applicable federal standards or limitations. Prospects for consideration are favorable. This measure was introduced and referred to the House Health and Government Affairs Committee on 23 January 2007. For more details, please go to <http://legis.state.nm.us/Sessions/07%20Regular/bills/house/HB0386.pdf>. Sponsor: Representative Mimi Stewart (D)

(NEW) New Mexico H.B. 431 - Air, Climate Change / Greenhouse Gas, Emissions. The Environmental Improvement Board or the local board is empowered by his measure to adopt rules for and a schedule of fees sufficient to cover the reasonable cost of: (1) preparing and maintaining a greenhouse gas emissions inventory and (2) developing and maintaining a greenhouse gas emissions reporting and registry program. H.B. 431 provides that the greenhouse gas emissions reporting and registry program is a system that provides for the annual tracking and verification of greenhouse gas emissions and emission reductions from entities and defines greenhouse gas as carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons or sulfur hexafluoride. Governor Bill Richardson (D) appointed Representative Garcia to replace former Representative Hector Balderas (D), who was elected to the position of State Auditor in November 2006. It is unclear at this time if this bill will be considered a priority by the committee. This bill was introduced and referred to the House Energy and Natural Resources Committee on 23 January 2007. For more details, please go to <http://legis.state.nm.us/Sessions/07%20Regular/bills/house/HB0431.pdf>. Sponsor: Representative Thomas Garcia (D)

(NEW) New Mexico H.B. 433 - Conservation, Land Use. This measure establishes the Land, Wildlife and Clean Energy Board to fund projects, conservation easements and fee land acquisitions in order to protect the land base available for working farms or ranches, forests or watersheds, natural areas, outdoor recreation and trails and wildlife habitat; to fund land and habitat restoration and management projects; and to fund clean energy development projects. Prospects for consideration are favorable. H.B. 433 is being carried by Representative Vigil on behalf of the Animal Protection Voters and Conservation Voters New Mexico, who contend that the Act will remedy a dramatic shortage of funding for communities working to conserve land and wildlife and invest in clean energy projects. Senator Michael Sanchez (D) is sponsoring companion legislation in the form of S.B. 309. It is unclear at this time which of these measures may serve as a vehicle for this issue. This bill was introduced and referred to the House Energy and Natural Resources Committee on 23 January 2007. For more details, please go to <http://legis.state.nm.us/Sessions/07%20Regular/bills/house/HB0433.pdf>. Sponsor: Representative Richard Vigil (D)

CREO Comment: This legislative initiative has the potential to act as a source of matching funds for an ACUB. CREO will follow the development of this measure.

(NEW) New Mexico S.B. 61 - Water Use. S.B. 61 stipulates that an irrigation district may establish a water bank to reallocate temporarily water without change of purpose of use or point of diversion to augment the water supplies available for the places of use served by the district. Moreover, it provides that the district's water bank may make temporary transfers of place of use without formal proceedings before the state engineer, and water rights placed in the district's water bank shall not be subject to loss for nonuse during the period the rights are placed in the water bank. Prospects for consideration are uncertain. Conservation of the state's water supply is a perennial issue of concern for the legislature. Sources were unable to indicate if this bill will be considered a priority. This bill will likely need to pick up bipartisan support to advance through the second chamber, as partisanship can be a significant factor for a bill even receiving a hearing in committee. S.B. 61 was introduced and referred to the Senate Conservation Committee on 17 January 2007. For more details, please go to <http://legis.state.nm.us/Sessions/07%20Regular/bills/senate/SB0061.pdf>. Sponsor: Senator Steven Neville (R)

(NEW) New Mexico S.B. 279 - Cleanup, Land Use, Voluntary Remediation. S.B. 279 enacts the Uniform Environmental Covenants Act that provides for covenants restricting the use of real property subject to environmental remediation. This measure stipulates that any person who owns interest in real property, an agency or municipality or other unit of local government may be a "holder" (grantee of a covenant) and being a holder constitutes an interest in real property. It further stipulates that persons signing the covenant are bound by its obligations but does not change any obligations or rights granted or imposed under other laws. It also sets rules to determine interests in real property at the time a covenant is created or amended and defines what a covenant shall and may contain. Other provisions state that covenants complying with this Act run with the land; the Environment Department or another agency that approves the covenant may require persons who it specifies who have interests in the real property to sign the covenant; Act does not authorize a use of real property that is otherwise prohibited by zoning, other law, or a recorded instrument that has priority over the covenant; the Act allows a covenant to prohibit or restrict a use of real property that is authorized by zoning or other law; the Act sets procedures for amending or terminating the covenant; the Act specifies that interest in real property is not affected by an amendment to the covenant unless the current owner of the interest consents to the amendment or has waived in a signed record the right to consent; the Act provides for civil action for injunctive relief for covenant violations by: a party to the covenant; an agency; a person to whom the covenant expressly grants power to enforce; or, a municipality or other local government in which the property is located, etc. Prospects for consideration are favorable. The Uniform Environmental Covenants Act is a model ordinance that was drafted and approved by the National Conference of Commissioners on Uniform State Laws

(NCCUSL). Senator Griego is sponsoring this measure on behalf of the Interim Radioactive and Hazardous Materials Committee, which he chairs. The New Mexico Environment Department has expressed concerns because this bill does not exempt groundwater from its coverage. Representative John Heaton (D), Chair of the House Democratic Caucus, is sponsoring companion legislation in the House in the form of H.B. 48. It is unclear at this time which of these measures may serve as the vehicle for this issue. This bill was introduced and referred to the Senate Conservation Committee on 18 January 2007 with a hearing scheduled for 30 January. For more details, please go to <http://legis.state.nm.us/Sessions/07%20Regular/bills/senate/SB0279.pdf>. Sponsor: Senator Phil Griego (D)
Companion Bill: 2007 H.B. 48

CREO Comment: The DoD REC for New Mexico has submitted written comments in support of this legislation and included suggested language more favorable to DoD participation.

(NEW) **New Mexico S.B. 309 - Conservation, Land Use.** S.B. 309 authorizes the Land, Wildlife and Clean Energy Board to fund projects, conservation easements and fee land acquisitions in order to protect the land base available for working farms or ranches, forests or watersheds, natural areas, outdoor recreation and trails and wildlife habitat; to fund land and habitat restoration and management projects; and to fund clean energy development projects. Prospects for consideration are favorable. This measure is being carried by Senator Sanchez on behalf of the Animal Protection Voters and Conservation Voters New Mexico, who contend that the Act will remedy a dramatic shortage of funding for communities working to conserve land and wildlife and invest in clean energy projects. Senator Sanchez sponsored a similar bill in 2006 that died upon adjournment. Representative Richard Vigil (D) is sponsoring companion legislation in the form of H.B. 433. It is unclear at this time which of these measures may serve as a vehicle for this issue. This measure was introduced and referred to the Senate Conservation Committee on 23 January 2007. A hearing was scheduled for 30 January. For more details, please go to <http://legis.state.nm.us/Sessions/07%20Regular/bills/senate/SB0309.pdf>. Sponsor: Senator Michael Sanchez (D)
Companion Bill: 2007 H.B. 433

STATE OF NEW MEXICO FINAL RULE

(Effective 15 January 2007) NM Albuquerque-Bernalillo County Air Quality Control Board Proposed Regulations: New Source Performance Standards for Stationary Sources and Emission Standards for Hazardous Air Pollutants for Stationary Sources (20.11.63 NMAC and 20.11.64

NMAC). The Board had adopted amendments to 20.11.63 NMAC, New Source Performance Standards For Stationary Sources, by incorporating by reference new and modified New Source Performance Standards published in 40 CFR 60, *New Source Performance Standards* (NSPS) through 28 October 2006. It is also proposing to amend 20.11.64 NMAC, Emission Standards For Hazardous Air Pollutants For Stationary Sources, by incorporating by reference new and modified standards published in 40 CFR 61, *National Emission Standards For Hazardous Air Pollutants* (NESHAP), and 40 CFR 63, *National Emission Standards For Hazardous Air Pollutants By Source Category* (NESHAP by Source Category) through 28 October 2006. The Air Quality Control Board is the federally delegated air quality authority for Albuquerque and Bernalillo County. Local delegation authorizes the Air Board to administer and enforce the Clean Air Act and the New Mexico Air Quality Control Act, and to require local air pollution sources to comply with air quality standards and regulations. This rule is effective on 15 January 2007. The final rulemaking is available at <http://www.nmcpr.state.nm.us/nmregister/xvii/xvii24/20.11.63amend.htm> and <http://www.nmcpr.state.nm.us/nmregister/xvii/xvii24/20.11.64amend.htm>. For more information, please call Neil Butt at (505) 768-2600.

[\[Top\]](#)

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The Oklahoma legislature began the 2007 session on 5 February and will adjourn on 25 March. Please note that the crossover deadline for bills to pass from their chamber of origin to the second chamber is 15 March 2007.

STATE OF OKLAHOMA PROPOSED LEGISLATION

(NEW) Oklahoma H.B. 1391 - Air, Air Permitting and Quality, Air Pollution Prevention, Air Toxics, Emissions. H.B. 1391 establishes the Blue Skyways Collaborative Grant Program to fund activities and projects designed to reduce regional air pollution. It provides that funds appropriated for the Blue Skyways Collaborative Grant Program shall be used for matching grants to governmental and non-governmental entities in Oklahoma to encourage the implementation of recognized air pollution reduction measures, including, but not limited to, the retrofitting of truck and bus fleets to use cleaner fuels and the installation and implementation of energy efficiency measures. This bill stipulates that the Department of Environmental Quality shall enter into a contract or memorandum of agreement with the grantee that includes conditions and safeguards to ensure that the matching funds are expended for the purposes specified and that the state receives a clear benefit from the expenditure and also specifies that, before making any grants, ODEQ shall determine to its satisfaction that the proposed project will significantly reduce air pollution within the state. The measure was pre-filed on 17 January 2007. For more details, please go to http://webserver1.lsb.state.ok.us/2007-08HB/HB1391_int.rtf. Sponsor: Representative Phil Richardson (R)

CREO Comment: It appears that DoD could qualify for funds for the Blue Skyways initiative.

(NEW) Oklahoma H.B. 1425 - Environmental Administrative Procedures, Groundwater. H.B. 1425 mandates that priority of claims for the appropriation of groundwater shall be determined by priority in use and time. It further specifies that all claims based on actual taking of groundwater for beneficial use, prior to the effective date of this act, shall relate back to the date of placing groundwater to beneficial use and all claims for the beneficial use, of groundwater initiated after the effective date of this act and that it shall relate back to the filing of an application with the Oklahoma Water Resources Board. This measure also provides for a loss of priority claim unless groundwater is actually used within certain time-period. It also requires an application to be submitted to the Board on forms approved by the Board in order to establish priority of a claim to appropriate groundwater in a groundwater basin or sub-basin in which there has been no court adjudication of existing rights to appropriate groundwater. H.B. 1425 stipulates that, after adjudication of existing rights in a groundwater basin or subbasin is completed, the remaining groundwater subject to appropriation, if any, may be taken only after making application and securing a permit from the Board. This bill was pre-filed (17 January 2007) and will be formally introduced when the Oklahoma Legislature convenes on 5 February 2007 but will likely need to pick up bipartisan support to advance through the second chamber, as partisanship can be a significant factor for a bill even receiving a hearing in committee. For more details, please go to http://webserver1.lsb.state.ok.us/2007-08HB/HB1425_int.rtf. Sponsor: Representative Dale Turner (D)

CREO Comment: CREO in concert with the Air Force is assessing the potential impact of this measure, if it is enacted, and make a determination as to the propriety of developing comments.

(NEW) Oklahoma H.B. 1656 - Land Use, Water Use. Pre-filed on 18 January 2007, this act establishes for each lake or reservoir in this state under the jurisdiction of the United States Corps of Engineers a Citizens Lake Committee, which consists of an advisory group of five persons who reside within the watershed area of each lake or reservoir. H.B. 1656 stipulates that each Citizens Lake Committee shall be an active oversight committee for monitoring acceptable practical lake levels, roads and other lake or reservoir conditions and consulting with federal entities on lake- or reservoir-related issues. It provides that members of the individual Citizens Lake Committees be appointed by the Governor no later than 1 September 2007. This bill will be formally introduced after the Oklahoma Legislature convenes. Representative Harrison co-sponsored similar legislation in 2006 with Senator Ted Lerblance (D). Representative Mike Reynolds (R) is sponsoring a similar bill; however, it is unclear at this time which of these measures may serve as a vehicle for this issue. The Sierra Club is supporting this legislation. For more details, please go to http://webserver1.lsb.state.ok.us/2007-08HB/HB1656_int.rtf. Sponsor: Representative Terry Harrison (D)

(NEW) Oklahoma H.B. 2065 - Environmental Administrative Procedures, Groundwater, Water Use.

This measure establishes the powers and duties of the Oklahoma Water Resources Board involving the examination of applications for and granting of permits to construct water use works, appropriate groundwater, appropriate stream water, and establish vested water rights shall be delegated to and exercised by the Executive Director of the Board. H.B. 2065 was pre-filed on 18 January 2007 and will be formally introduced after the Oklahoma Legislature convenes. Addressing water issues is one of Representative Enn's priorities for this session.

For more details, please go to http://webserver1.lsb.state.ok.us/2007-08HB/HB2065_int.rtf. Sponsor: Representative John Enns (R)

(NEW) Oklahoma H.B. 2108 - Conservation, Land Use. H.B. 2108 is an act that creates the Oklahoma Forever Land Trust (Trust Fund) Act and the Oklahoma Forever Council to evaluate, select, and rank proposed projects eligible for acquisition with proceeds from the Trust Fund, which is also created by this Act. This measure states that projects or acquisitions funded by the Oklahoma Forever Land Trust Act shall contribute to the achievement of the following goals: (1) enhancing the coordination and completion of land acquisition projects; (2) increasing the protection of biodiversity in Oklahoma at the species, natural community, and landscape levels; (3) protecting, restoring, and maintaining the quality and natural functions of land, water, and wetlands systems of the state; (4) ensuring that sufficient quantities of water are available to meet the current and future needs of natural systems and the citizens of the state; (5) increasing natural resource-based public recreational and educational opportunities; (6) preserving significant archaeological or historic sites; (7) increasing the amount of forestland available for sustainable management of natural resources; and (8) increasing the amount of open space available in urban areas. This bill was pre-filed on 18 January 2007 and will be formally introduced after the Oklahoma Legislature convenes. Speaker of the House Representatives-elect Cargill has promoted his "100 Ideas" initiative as a way to allow Oklahomans an opportunity to provide input for policy ideas that the state may address. Speaker Cargill is also sponsoring a measure, H.B. 2109, that establishes the Greenspace Development Incentive Revolving Fund. For more details, please go to http://webserver1.lsb.state.ok.us/2007-08HB/HB2108_int.rtf. Sponsor: Representative Lance Cargill (R)

CREO Comment: H.B. 2108 is a potential source of matching funds for ACUB projects.

(NEW) Oklahoma S.B. 75 - Environmental Crimes/Fines, Groundwater. This measure amends the Oklahoma Statutes relating to groundwater laws by removing a requirement for a notice from the Oklahoma Water Resources Board as it relates to enforcing violations of the groundwater laws. This bill is a pre-file (on 4 January 2007) and will be formally introduced when the Oklahoma Legislature convenes on 5 February 2007. For more details, please go to http://webserver1.lsb.state.ok.us/2007-08SB/SB75_int.rtf. Sponsor: Senator Jay Gumm (D)

(NEW) Oklahoma S.B. 88 - Water Use. S.B. 88 authorizes a rural water district board to levy a fee to assist any entity or entities whose functions benefit the members of a district. The bill specifies that the fee shall not exceed \$0.10 per 1000 gallons of water sold and shall be added to the district's water rates and paid by its water consumers. This bill is a pre-file (on 4 January 2007) and will be formally introduced when the Oklahoma Legislature convenes on 5 February 2007. For more details, please go to http://webserver1.lsb.state.ok.us/2007-08SB/SB88_int.rtf. Sponsor: Senator Richard Lerblance (D)

(NEW) Oklahoma S.B. 759 - BRAC Authorizing Legislation, Land Use. The Department of Commerce is required by S.B. 759 to create a program in which local communities may apply to the State for matching grants or low-interest loans, for critical infrastructure improvements, encroachment issues, transportation and access needs, utilities, communications, housing, environment and security in order to prevent adverse realignment or military base closure. S.B. 759 requires the Oklahoma Development Finance Authority to create a program to assist local communities, under which the Authority will issue bonds to finance public improvements that directly result in the creation of new jobs in this state at or in connection with an established military base. It also creates the Military Base Protection and Expansion Bond Fund for the payment of principal, interest and other costs associated with the issuance of obligations pursuant to the provisions of this act and also includes protection and retention of established military bases and facilities and the attraction and promotion of additional employment at such bases and facilities as an appropriate cause for expenditures from the Oklahoma Opportunity Fund proposed by the Director of the Oklahoma Department of Commerce. This bill was pre-filed on 18 January 2007 and will be formally introduced when the Oklahoma Legislature convenes on 5 February 2007. Senator Bass is a member of the Oklahoma Municipal League and the Oklahoma Strategic Military Planning Commission. Senator Bass sponsored legislation during the 2005 session that authorized additional funding to the Oklahoma Strategic Military Planning Commission Incentive Fund to allow communities that are home to military bases to apply for matching grants for infrastructure and road

improvements. For more details, please go to http://webserver1.lsb.state.ok.us/2007-08SB/SB759_int.rtf. Sponsor: Senator Randy Bass (D)

CREO Comment: The DOD REC for Oklahoma will be submitting written comments in support of this legislation.

STATE OF OKLAHOMA PROPOSED RULE

(NEW) OK Department of Environmental Quality Proposed Regulations: Electronic Reporting, CROMERR (252:4-17-1 through 252:4-17-7). The Department is proposing a new Subchapter 17 and a new Appendix E to implement applicable portions of the United States Environmental Protection Agency's Cross Media Electronic Reporting Rule (CROMERR), as published in the October 13, 2005 issue of the Federal Register (70 FR 59848 - 59889), and which became effective January 11, 2006. The CROMERR requirements set mandatory standards for electronic document receiving systems operated by states with federally authorized, approved or delegated programs. Where states receive or intend to receive documents or reports electronically, CROMERR specifies criteria for their acceptable submission in order to ensure enforceability under the federally authorized program. The Department is required to submit an application to EPA by October 13, 2007 for approval of its CROMERR-compliant electronic document receiving system. The application must include an attorney's statement certifying that applicable rules and statutes are adequate, in force, and effective at the time the application is filed to meet the requirements of CROMERR. The application must also include a technical paper outlining how the Department's electronic document receiving system, and any known or anticipated future enhancements, meet the requirements of CROMERR. Text is not available at this time. A public hearing will be held on 23 February 2007. Comments were due on 23 February 2007. *For more information, please call Martha Penisten at (405) 702-7100.*

[\[Top\]](#)

TEXAS

Legislative/Regulatory Activity

NOTICE: With regard to any or regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The Texas legislature began this year's session on 9 January and will adjourn on 28 May 2007.

STATE OF TEXAS PROPOSED LEGISLATION

(NEW) Texas H.B. 370 - Lead Abatement. Pre-filed on 8 December 2006, this measure states that on receiving a report of a child with a confirmed blood lead level warranting an environmental lead investigation, the Department of State Health Services may conduct an environmental lead investigation of child occupied facilities. Committee assignments will be made after the session begins on 9 January 2007. For more details, please go to <http://www.capitol.state.tx.us/tlodocs/80R/billtext/html/HB00370I.htm>. Sponsor: Representative Dawanna Dukes (D)

(NEW) Texas H.B. 547 - Air, Air Toxics, Emissions. H.B. 547 requires owners and operators of a major source to provide daily fence-line monitoring of air contaminant emissions from the major source. Moreover, this measure requires records on the measurement and monitoring of emissions. H.B. 547 was formally introduced on 9 January 2007. Committee referral is still pending. Though committee action is at the discretion of committee chairs, sources in the Committee Coordinator's Office do not expect hearings to begin until mid-February. For more details, please go to <http://www.capitol.state.tx.us/tlodocs/80R/billtext/html/HB00547I.htm>. Sponsor: Representative Jessica Farrar (D)

CREO Comment: If passed this bill is it could impose a significant burden on an "owner/operator of a major source" by requiring that at least two monitors with each of the monitors placed on opposite sides of the source (one of which is located predominantly upwind and the other located predominantly downwind). In addition, there must be a sufficient number of monitors so that the maximum distance measured along the fence line between each monitor is one-eighth of a mile. The monitors must be placed in such a way that they are evenly spaced and are located where air contaminants have the highest concentration levels at the fence line of the emission source. The owner or operator of a major source shall designate an independent consultant approved by the commission to certify to the commission that the major source is in compliance. Installations that possess (or seeking) a Title 5 permit should review this legislation carefully and submit comments to the Army Region 6 REC. Comments will most likely be

combined with those from the Air Force to become DoD comments. If this bill progresses far enough for a hearing, DoD may have to provide testimony in person.

(NEW) Texas H.B. 631 - Land Use. According to this bill, a home-rule municipality may annex an area for purposes of applying its planning, zoning, health, and safety ordinances if the municipality has a population of more than 225,000 or more than 17,500 and is located in a county adjacent to a county with a population of more than 1.4 million. This measure was introduced as the legislature convened on 18 January 2007. Committee referral is still pending. Though committee action is at the discretion of committee chairs, sources in the Committee Coordinator's Office do not expect hearings to begin until mid-February. For more details, please go to <http://www.capitol.state.tx.us/tlodocs/80R/billtext/html/HB006311.htm>. Sponsor: Representative Phil King (R)

(NEW) Texas H.B. 711 – Munitions. H.B. 711 relates to screening tests for members of the Texas National Guard who may have been exposed to depleted uranium. The act stipulates that not later than 1 December 2008 the adjutant general shall report in writing to the presiding officer of the standing committee of each chamber of the legislature with primary jurisdiction over military and veterans matters on the scope and adequacy of training received by members of the national guard on detecting whether their service as eligible members is likely to entail, or to have entailed, exposure to depleted uranium. The report must include an assessment of the feasibility and cost of adding pre-deployment training concerning potential exposure to depleted uranium and other toxic chemical substances and the precautions recommended under combat and non-combat conditions while in a combat zone. Committee referral is still pending. Though committee action is at the discretion of committee chairs, sources in the Committee Coordinator's Office do not expect hearings to begin until mid-February. This bill was introduced on 23 January 2007. For more details, please go to <http://www.capitol.state.tx.us/tlodocs/80R/billtext/html/HB007111.htm>. Sponsor: Representative Rick Noriega (D)

(NEW) Texas H.B. 722 - Climate Change / Greenhouse Gas. H.B. 722 establishes a global warming task force composed of business leaders, academic scholars, scientists, economists, and environmentalists to develop a balanced and authoritative assessment of global warming challenges and opportunities facing Texas. Committee referral is still pending. Though committee action is at the discretion of committee chairs, sources in the Committee Coordinator's Office do not expect hearings to begin until mid-February. This bill was introduced on 23 January 2007. For more details, please go to <http://www.capitol.state.tx.us/tlodocs/80R/billtext/html/HB007221.htm>. Sponsor: Representative Lon Burnam (D)

(NEW) Texas H.B. 760 - Air, Air Permitting and Quality, Emissions. This measure, introduced on 24 January 2007, provides for the consideration of the cumulative effects of air contaminant emissions in the emissions permitting process. Committee referral is still pending. Though action is at the discretion of committee chairs, the committee coordinator's office does not expect active hearings to begin until mid-February. Representative Dutton's district is located in Houston, which officials recently indicated might not reach compliance with air pollution deadlines until 2012. For more details, please go to <http://www.capitol.state.tx.us/tlodocs/80R/billtext/html/HB007601.htm>. Sponsor: Representative Harold Dutton (D)

(NEW) Texas S.B. 283 - Noise Pollution. The commissioner's court of certain counties is empowered by this measure to regulate sound levels to promote public health. Committee referral is still pending. Though committee action is at the discretion of committee chairs, sources in the Committee Coordinator's Office do not expect hearings to begin until mid-February. Although recently chosen as President Pro Tempore of the Senate Senator Gallegos involvement in the session is in doubt because of a recent liver transplant. S.B. 283 was introduced on 23 January 2007. For more details, please go to <http://www.capitol.state.tx.us/tlodocs/80R/billtext/html/SB002831.htm>. Sponsor: Senator Mario Gallegos (D)

STATE OF TEXAS FINAL RULE

(Effective 7 February 2007) TX Commission on Environmental Quality Final Regulations: Best Available Retrofit Technology (BART) Permitting (2006-022-116-EN). TCEQ has adopted amendments to its air regulations regarding regional haze. Federal regulations under 40 CFR Part 51, Subpart P require states to implement best available retrofit technology (BART) and develop a regional haze State Implementation Plan (SIP). The proposed rules are intended to satisfy the federal requirement to implement BART and to facilitate the preparation of the Texas Regional Haze SIP, which is due to EPA 17 December 2007. The adopted rules add new Subchapter M to Chapter 116 to ensure that owners or operators of sources that are subject to BART requirements perform an engineering evaluation to determine the appropriate level of BART emission controls and subsequently

implement any required BART controls. The sources that would be affected by the final rules are those that belong to one of 26 industry source categories, have the potential to emit 250 tons per year or more of a visibility-impairing pollutant (nitrogen oxides, sulfur dioxides, or particulate matter), and were built or reconstructed between 7 August 1962 and 7 August 1977. The rules also provide a mechanism for sources to exclude themselves from BART requirements, if they demonstrate, through modeling, that they do not significantly impact visibility in Class I areas. The Commission is also working with the Central Regional Air Planning Association (CENRAP) on regional haze modeling and development. The amendments were approved on 10 January 2007. The effective date is 7 February 2007. The final rulemaking is available at http://www.tceq.state.tx.us/assets/public/legal/rules/rule_lib/adoptions/06022116_ado_clean.pdf. For more information, please call Margaret Earnest at (512) 239-4581.

STATE OF TEXAS PROPOSED RULES

(NEW) TX Commission on Environmental Quality Proposed Regulations: Control of Vehicle Refueling Emissions (Stage II) at Motor Vehicle Dispensing Facilities, Stage II Vapor Recovery Rule Revision, 2006-049-115-EN (30 TAC §115.247). The Commission is proposing amendments to its regulations regarding the control of vehicle refueling emissions (Stage II) at motor vehicle fuel dispensing facilities. The proposed amendment to §115.247, *Exemptions*, would add paragraph (3) for individual dispensers used exclusively for the initial fueling and/or re-fueling of vehicles equipped with onboard refueling vapor recovery (ORVR) equipment. The Stage II program was initiated as a volatile organic compound (VOC) control strategy for certain ozone non-attainment areas. Stage II vapor recovery equipment must be certified by EPA to achieve 95% control efficiency for VOC emissions. Furthermore, EPA states in their Stage II Vapor Recovery Systems-Options Paper dated 7 February 2006, that ORVR controls achieve 95% control efficiency. Therefore, exempting facilities that refuel only ORVR-equipped vehicles from the Stage II program will not result in increased VOC emissions. Public hearings were held on 27 and 28 February 2007. Comments are due 15 March 2007. The proposed rulemaking is available at http://www.tceq.state.tx.us/assets/public/legal/rules/rule_lib/proposals/06049115_pro.pdf. For more information, please call Robert Martinez (512) 239-6087.

(NEW) TX Commission on Environmental Quality Proposed Regulations: Control of Air Pollution from Motor Vehicles, Low Emission Diesel, Extension of Alternative Emissions Reduction Plan Deadline, 2007-007-114-EN (30 TAC 114.318). TCEQ is proposing a revision to Chapter 114: Control of Air Pollution from Motor Vehicles, Subchapter H: Low Emission Fuels, Division 2: Low Emission Diesel, §114.318. Specifically, the commission is revising §114.318(c) to extend the 31 December 2006, expiration date for all alternative emission reduction plans (AERPs) approved by the executive director prior to December 16, 2005. This proposed revision will extend the expiration date by one year to December 31, 2007, in order to provide bio-diesel producers additional time to complete testing necessary to ensure compliance with the LED regulations under Chapter 114, Subchapter H, Division 2. Public hearings will be held on 15, 20 and 22 February 2007. Comments are due 2 March 2007. The proposed rulemaking is available at http://www.tceq.state.tx.us/assets/public/legal/rules/rule_lib/proposals/07007114_pro_clean.pdf. For more information, please call Morris Brown at (512) 239-1438.

(NEW) TX Commission on Environmental Quality Proposed Regulations: Control of Air Pollution from Volatile Organic Compounds, Control of VOC Emissions from Storage and Transfer Operations for the Eight-Hour Ozone Standard, 2006-038-115-EN (New §115.110 and Amendments to §§115.112 - 115.117, 115.119, 115.541 - 115.547, And 115.549). This proposed rulemaking would subject owners or operators of volatile organic compound (VOC) storage tanks, transport vessels, and marine vessels located in the HGB eight-hour ozone non-attainment area to more stringent control, monitoring, testing, recordkeeping, and reporting requirements. The revised requirements have been developed to reduce VOC emissions that have previously been underreported in emissions inventories (EI). Proposed §115.112(d)(2) would change the control requirements for tank fittings. Proposed §115.112(d)(2)(A) would specify that all openings in an internal or external floating roof except for automatic bleeder vents, rim space vents, and roof drains must provide a projection below the liquid surface and be equipped with a cover, seal, or lid. The cover, seal, or lid must be equipped with a working gasket and kept in a closed position at all times except when the opening is in actual use. The existing rule does not include roof drains in the list of exceptions. The existing rule allows the use of either a projection below the liquid surface or a cover, seal, or lid. The proposed new language would require both means of control, and would specify that the cover, seal, or lid must be equipped with a working gasket. With only a projection below the liquid surface, fittings still have potential for VOC emissions. The use of a cover, seal, or lid equipped with a working gasket to seal off the opening from the atmosphere will reduce the VOC emissions arising from fitting losses. Proposed

§115.112(d)(2)(B) would specify that automatic bleeder vents (also known as vacuum breaker vents) must be gasketed and closed at all times except when the roof is being floated off or landed on the roof leg supports. The current rule requires only that the automatic bleeder vents be closed. The new language would also require that the vents be equipped with a working gasket to further limit VOC emissions. Proposed §115.112(d)(2)(C) would require rim vents to be gasketed and set to open only when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting. Public hearings were (will) be held on 29 and 31 January 2007, and 1, 6, and 8 February 2007. Comments are due 12 February 2007. The proposed regulations are available at http://www.tceq.state.tx.us/assets/public/legal/rules/rule_lib/proposals/06038115_proclean.pdf. For more information, please call Ray Schubert at (512) 239-6615.

(NEW) TX Commission on Environmental Quality Proposed Regulations: Control of Air Pollution from Nitrogen Compounds, Control of VOC Emissions from Storage and Transfer Operations for the Eight-Hour Ozone Standard, 2006-034-117-EN (Repeal of §§117.10, 117.101, 117.103, 117.105 - 117.111, 117.113 - 117.117, 117.119, 117.121, 117.131, 117.133 - 117.135, 117.138, 117.139, 117.141, 117.143, 117.145, 117.147, 117.149, 117.151, 117.20). TCEQ is proposing to repeal 30 TAC Chapter 117, Control of Air Pollution from Nitrogen Compounds, in its entirety and proposes a new reformatted Chapter 117. Reductions in point source nitrogen oxide (NO_x) emissions are necessary for non-attainment areas to demonstrate attainment with the NAAQS for ozone. Rulemaking in Title 30 Texas Administrative Code (30 TAC) Chapter 117 will be necessary for implementing new and revised control strategies to reduce NO_x emissions. Incorporating these anticipated new rules into Chapter 117 will be difficult due to the current structure of the rule. The scope of this Chapter 117 rulemaking would include repealing all of the current Chapter 117 and proposing a new reformatted Chapter 117. All changes associated with this reformatting would be done concurrent with the rulemaking for eight-hour ozone control strategies. The following six rule concepts have been merged with this rulemaking project: 2006-017-117-EN: Residential Water Heaters 2006-012-117-EN: DFW NO_x RACT 2006-006-117-EN: East Texas Combustion Sources 2006-005-117-EN: DFW Minor Sources 2006-004-117-EN: DFW Cement Kiln Rule 2006-003-117-EN: DFW NO_x Major Source & Utility Controls. Public hearings were (will) be held on 29 and 31 January 2007, and 1, 6, and 8 February 2007. Comments are due 12 February 2007. The proposed regulations are available at http://www.tceq.state.tx.us/assets/public/legal/rules/rule_lib/proposals/06034117_preamble_pro.pdf, http://www.tceq.state.tx.us/assets/public/legal/rules/rule_lib/proposals/06034117_rule_pro_clean.pdf, http://www.tceq.state.tx.us/assets/public/legal/rules/rule_lib/proposals/Chp_117_Derivation_Table_Final.pdf, and http://www.tceq.state.tx.us/assets/public/legal/rules/rule_lib/proposals/Chp_117_Disposition_Table_Final.pdf. For more information, please call Ray Schubert at (512) 239-6615.

(NEW) TX Commission on Environmental Quality Proposed Regulation: El Paso Carbon Monoxide (CO) Limited Maintenance Plan. The Commission is proposing a Limited Maintenance Plan (LMP) for carbon monoxide (CO) for the El Paso area. In January 2006, the TCEQ submitted a CO Re-designation Request and Maintenance Demonstration SIP to EPA. The plan is pending EPA approval. Since submission of the El Paso CO Re-designation Request and Maintenance Demonstration SIP, TCEQ has determined that El Paso is eligible for a limited maintenance plan (LMP) because the area's CO design value has been less than or equal to eighty-five percent (85%) of the standard for eight consecutive quarters (2004-2005). The El Paso design value based on 2004 and 2005 data is 6.4 ppm, which is seventy-one percent of the standard. This proposed revision of the Texas State Implementation Plan (SIP) modifies the existing maintenance plan for CO in El Paso to a limited maintenance plan (LMP). The monitoring network serves to verify that CO levels in El Paso do not approach violation levels. It also demonstrates that the area meets EPA's LMP requirements by showing that the design value of all monitors has not exceeded eighty-five percent of the relevant NAAQS. The approved proposed LMP SIP revision demonstrates that El Paso will remain in attainment of the CO standard for at least 10 years. It also demonstrates maintenance of the eight-hour standard by showing that the total future CO emissions will not exceed the attainment inventory. The approved proposed LMP also discusses the established strategies to control emissions from on-road mobile sources. A public hearing will be held on 20 February 2007. The proposal is available at http://www.tceq.state.tx.us/assets/public/implementation/air/sip/sipdocs/ELP2007/EP_CO_SIP.pdf. For more information, please call Ita Ufot at (512) 239-1935.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(Effective 26 March 2007) Approval and Promulgation of Implementation Plans; El Paso County Carbon Monoxide Re-designation to Attainment, and Approval of Maintenance Plan. On 20 January 2006, the Texas Commission on Environmental Quality (TCEQ) submitted a State Implementation Plan (SIP) revision to request re-designation of the El Paso carbon monoxide (CO) non-attainment area to attainment for the CO National

Ambient Air Quality Standard (NAAQS). This submittal also included a CO maintenance plan for the El Paso area and associated Motor Vehicle Emission Budgets (MVEBs). The maintenance plan was developed to ensure continued attainment of the CO NAAQS for a period of 10 years from the effective date of EPA approval of re-designation to attainment. In this action, EPA is approving the El Paso CO re-designation request and the maintenance plan with its associated MVEBs as satisfying the requirements of the Federal Clean Air Act (CAA) as amended in 1990. This rule is effective on 26 March 2007 without further notice, unless EPA receives relevant adverse comment by 22 February 2007. For more details, please go to <http://www.epa.gov/fedrgstr/EPA-AIR/2007/January/Day-23/a926.htm>.

Notice of Pending Law Suit: Texas Air Quality and Emission "Fast Track" Permitting - Air Toxics, Emissions, Pollution Prevention. In October 2005, Governor Rick Perry (R) signed an executive order reducing the time it takes to receive a permit. By "fast tracking" the permit process, environmentalists and certain "neighborhood improvement" groups argue that seven coal burning power plants, under permitting review, will exceed emission limits put in place by the Texas Commission on Environmental Quality. The groups are arguing that by putting permits back on a "slow track" system, the public and the commission will have more time to evaluate the impact of these potential pollution causing projects. The Governor's office has argued that these plants are important to Texas diversifying its energy options during times of high gas prices. Environmental and neighborhood groups reject this on the basis that they feel the state should be working harder on increasing the use of renewable energy sources. On 19 January 2007, four environmental groups filed a lawsuit in state district court against the governor's order, claiming it violated state law and the Texas Constitution.

[\[Top\]](#)

REGION 7 STATE ACTIVITY

Regulatory & Legislative Web Sites

Iowa Department of Natural Resources (IDNR)	http://www.iowadnr.com/
Iowa General Assembly	http://www.legis.state.ia.us/
Kansas Department of Health and Environment (KDHE)	http://www.kdhe.state.ks.us
Kansas Legislature	http://www.kslegislature.org/cgi-bin/index.cgi
Missouri Department of Natural Resources (MDNR)	http://www.dnr.mo.gov/index.html
Missouri General Assembly	http://www.moga.state.mo.us/
Nebraska Department of Environmental Quality (NDEQ)	http://www.deq.state.ne.us
Nebraska Legislature	http://www.unicam.state.ne.us/

IOWA

Legislative/Regulatory Activity

NOTICE: With regard to any and all legislation and or regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The 2007 Iowa legislative session began on 8 January and will adjourn on 28 April.

STATE OF IOWA PROPOSED LEGISLATION

(NEW) Iowa H.F. 74 – Wetlands Regulation of Wetlands, Mitigation of Adverse Impacts to

Wetlands. This bill requires that a proposed filling of an isolated wetland requires an isolated wetland permit and subjects the filling to a review by the IDNR and requires the Department to issue or deny a permit within 180 days after receipt of the application of the permit. Moreover, H.F. 74 requires IDNR to establish a list of approved wetland mitigation banks, which is a site where wetlands have been restored or preserved. This measure was introduced and referred to House Natural Resources Committee on 23 January and referred to subcommittee on 25 January 2007. Prospects for consideration are favorable. However, the subcommittee has not yet established a timeframe for consideration. Legislative sources indicate it is typical for a bill to be referred to a subcommittee for further review. The subcommittee will consider the bill and then make recommendations for action to the whole committee. Legislative sources indicate the Iowa State Association of Counties, Home Builders Association of Iowa, Alliant Energy and the Agribusiness Association of Iowa have all expressed interest in the bill, however they have not yet taken a formal opinion. For more details, please go to <http://coolice.legis.state.ia.us/Cool->

ICE/default.asp?Category=billinfo&Service=Billbook&menu=false&ga=82&hbill=HF74. Sponsor: Representative Pam Jochum (D)

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(Effective 17 January 2007) EPA Delegation of Authority to the State of Iowa for New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP); and Maximum Achievable Control Technology (MACT) Standards. The state of Iowa has submitted updated regulations for delegation of EPA authority for implementation and enforcement of NSPS, NESHAP, and MACT. The submissions cover new EPA standards and, in some instances, revisions to standards previously delegated. EPA's review of the pertinent regulations shows that they contain adequate and effective procedures for the implementation and enforcement of these Federal standards. This action informs the public of delegations to the above-mentioned agencies. This document is effective on 17 January 2007. For more details, please go to <http://www.epa.gov/fedrgstr/EPA-AIR/2007/January/Day-17/a527.htm>.

[\[Top\]](#)

KANSAS

Legislative/Regulatory Activity

NOTICE: With regard to any and all legislation and or regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The Kansas legislature's session began on 8 January and will adjourn in April-May 2007.

STATE OF KANSAS PROPOSED LEGISLATION

(NEW) Kansas H.B. 2048 - Conservation. The State Conservation Commission is authorized by H.B. 2048 to allocate \$25,000 per district for conservation district activities for the ensuing calendar year as compared to the current law that allocates \$10,000 per district for conservation district activities. This measure was formally introduced as legislation on 11 January 2007 and was referred to Agriculture and Natural Resources on 12 January. The Special Committee on Agriculture and Natural Resources passed H.B. 2048 on 24 January. However, prospects for floor consideration are uncertain, as the House committee of the whole still must agree to approve the committee report and bring this measure to the floor for a vote. For more details, please go to <http://www.kslegislature.org/legsrv-bills/showBill.do?id=122065>. Sponsor: KS House Appropriations Committee

(NEW) Kansas H.B. 2052 - Environmental Administrative Procedures, Water. H.B. 2052 exempts a proposed water development project, which has the capacity to impound less than five acre-feet of water from review by the Department of Wildlife and Parks. This measure was introduced and referred to the Agriculture and Natural Resources Committee on 12 January 2007. The Special Committee on Agriculture and Natural Resources held several meetings during the interim, but did not bring up this matter for discussion. For more details, please go to <http://www.kslegislature.org/legsrv-bills/showBill.do?id=121946>. Sponsor: Representative Bill Otto (R)

(NEW) Kansas H.B. 2056 - Water. This measure requires the Secretary of Health and Environment to establish and implement a training program for governing bodies of public water supply systems. Moreover, it requires individuals to complete a maximum of five classroom and four home study contact hours of training. H.B. 2056 was formally introduced as legislation and referred to the Federal and State Affairs Committee on 12 January 2007. For more details, please go to <http://www.kslegislature.org/legsrv-bills/showBill.do?id=121930>. Sponsor: Committee on Government Efficiency and Technology

(NEW) Kansas H.B. 2070 - Groundwater. H.B. 2070 states that the order of designation of an intensive groundwater use control area shall be in full force for a period of not more than five years. This measure has been formally introduced as legislation as the legislature convened on 8 January 2007. It has been introduced on behalf of the Appropriations Committee, which is chaired by Representative Sharon Schwartz (R) who is one of several Appropriations Committee members who also sits on the committee of referral. Committee staff indicates that a number of Kansas Committees are not voting on bills immediately following the hearing. Rather, action is common later in the week. H.B. 2070 was introduced on 16 January 2007 and referred to the Agriculture and Natural

Resources Budget Committee on 17 January. This measure was scheduled to be heard on 29 and 31 January. For more details, please go to <http://www.kslegislature.org/legsrv-bills/showBill.do?id=122122>. Sponsor: KS House Appropriations Committee

(NEW) Kansas H.B. 2147 - Conservation, Land Use. The State Conservation Commission is authorized by this measure to facilitate the conservation of private working farm and ranch lands through grants to eligible entities for the administration and purchase of perpetual conservation easements, or other interests, of eligible farm and ranch lands. This measure was filed at the request of Representative Tom Sloan (R) who indicates that he is seeking this legislation in an effort to provide state resources in support of the Army's Compatible Use Buffer Program. H.B. 2147 was introduced on 22 January 2007 and referred to the Agriculture and Natural Resources Committee on the next day. According to the sponsor, this measure was scheduled for a hearing on 1 February. Representative Sloan stated that he welcomes any in-person or written testimony from the military for the meeting. Written testimonies were due on 31 January. For more details, please go to <http://www.kslegislature.org/legsrv-bills/showBill.do?id=122506>. Sponsor: KS House Agriculture Committee

CREO Comment: CREO submitted comments in support of this legislation.

(NEW) Kansas H.B. 2169 - Energy Conservation Improvements and Energy Conservation Measures. H.B. 2169 is an act concerning the Kansas Development Finance Authority; relating to energy conservation improvements and energy conservation measures. This bill, as amended, would add federal agencies to the list of governmental entities with which the Kansas Development Finance Authority (KDFA) could enter into financing agreements for energy conservation measures. Under the bill, KDFA would be authorized to issue revenue bonds to pay energy conservation measures for, or on behalf of, federal agencies for facilities located in Kansas. Refunding revenue bonds would not be an obligation by the State and would not constitute indebtedness to the State. For more details, please go to <http://www.kslegislature.org/supplemental/2008/SN2169.pdf>. Sponsor: Energy and Utilities Committee

(NEW) Kansas S.B. 89 - Water. S.B. 89 provides that money recovered from any litigation relating to the Republican River compact shall be deposited in the state treasury for certain projects and designates one-third of moneys for water conservation projects and two-thirds to the Republican river water conservation projects fund. This measure was introduced on 16 January 2007 and referred to Agriculture on 17 January. This measure is scheduled for a hearing on 24 January. Committee staff indicates that a number of Kansas committees are not voting on bills immediately following the hearing. Rather, action is common later in the week. The Interim Special Committee on Agriculture and Natural Resources held several meetings during their interim schedule, but did not bring this measure up for discussion. For more details, please go to <http://www.kslegislature.org/legsrv-bills/showBill.do?id=122139>. Sponsor: KS House Agriculture Committee

(NEW) Kansas S.B. 123 - Groundwater, Water, Water Quality. This measure provides for an agreement between the state of Kansas and the farm services agency to implement an upper Arkansas River conservation enhancement program. S.B. 123 states that the program shall seek to reduce withdrawal demands on high plains aquifers, improve water quality, protect public water supplies and enhance wildlife habitat. This measure has been formally introduced as legislation as the legislature convened on 18 January 2007 on behalf of the Ways and Means Committee, referred to Natural Resources on 19 January and scheduled for hearing on 1 February. The Interim Special Committee on Agriculture and Natural Resources held several meetings during its schedule but did not discuss this measure. Prospects for committee consideration are favorable, as legislative staff indicates this measure was scheduled to receive a hearing. For more details, please go to <http://www.kslegislature.org/legsrv-bills/showBill.do?id=122231>. Sponsor: KS Senate Ways and Means Committee

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

EPA Proposed Rule - Approval and Promulgation of Implementation Plans; State of Kansas. EPA is proposing to approve a request to revise the State Implementation Plan (SIP) made by the state of Kansas to include updates to its Prevention of Significant Deterioration (PSD) of Air Quality rule. The Kansas revision adopts by reference provisions of 40 CFR 52.21 as in effect 1 July 2004, except for subsections with references to Clean Unit Exemptions, Pollution Control Projects, and the record keeping provisions for the actual-to-projected-actual emissions projections. Kansas did not adopt the latter provisions because of the 24 June 2005, United States Court of Appeals for the District of Columbia Circuit's decision, which vacated the Clean Unit Exemption and

Pollution Control Project provisions and remanded back to EPA the record keeping provisions for the actual-to-projected-actual emissions projections standard for when a source must keep certain project related records. If approved, EPA would incorporate the revisions into the Kansas SIP. Comments must be received on or before 2 March 2007. For more details, please go to <http://www.epa.gov/fedrgstr/EPA-AIR/2007/January/Day-31/a1518.htm>.

[\[Top\]](#)

MISSOURI

Legislative/Regulatory Activity

NOTICE: With regard to any and all legislation and or regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The Missouri legislature began it's 2007 session on 3 January and will adjourn on 30 May.

STATE OF MISSOURI PROPOSED LEGISLATION

(NEW) Missouri H.B. 135 - Military Facilities and Personnel. This bill changes the laws regarding military facilities and personnel. In its main provisions, the bill: 1) Allows Johnson County to utilize existing airport zoning Regulations, but changes the composition of the airport zoning commission and the board of variance; 2) Requires the State Board of Education to promulgate a rule that will permit the spouse of a United States military member stationed in Missouri who has relocated within one year of application for a Missouri teacher's certificate, is a holder of a valid teacher's license from another state, and has undergone a background check through the other state's licensing process to receive a provisional license for immediate assumption of classroom duties pending completion of a Missouri background check; and 3) Exempts the children of military personnel who have completed an accredited pre-kindergarten or kindergarten program in another state from the kindergarten entry birthday cutoff. For more information, please go to <http://www.house.mo.gov/bills071/biltxt/intro/HB0135I.htm>. Sponsor: Representative David Pearce (R)

(NEW) Missouri H.B. 252 - Hazardous Waste. This measure assesses fees for the transportation of radioactive waste through or within the state. H.B. 252 was formally introduced as legislation as on 4 January 2007. Representative Michale McGhee (R) has signed on as a co-sponsor. Committee referral is still pending and bill text is not yet available. Sponsor: Representative Ed Robb (R)

(NEW) Missouri S.B. 223 - Air, Air Toxics, Emissions, Environmental Administrative Procedures. S.B. 223 establishes a new schedule for the payment of air pollution fees to the Air Conservation Commission. This measure was formally introduced as legislation on 8 January 2007. Committee referral is still pending. Senator Rupp has not offered similar legislation in past sessions. For more details, please go to <http://www.senate.mo.gov/07info/pdf-bill/intro/SB223.pdf>. Sponsor: Senator Scott Rupp (R)

(NEW) Missouri S.B. 388 - Cleanup, Land Use, Voluntary Remediation. This act repeals section 260.470, RSMo, and enacts in lieu thereof fifteen new sections relating to environmental covenants that allow covenants to be created for real property that is or has been the subject of remediation. S.B.388 ensures that restrictions on site usage required by the remediation are maintained. The Agriculture Committee has begun its meeting schedule but has not yet scheduled this measure for review. The bill language was developed by the National Conference of Commissioners on Uniform State Laws as part of the Uniform Environmental Covenants Act. This measure was introduced on 25 January 2007 and referred to the Agriculture, Conservation, Parks and Natural Resources committee on 29 January. For more details, please go to <http://www.senate.mo.gov/07info/pdf-bill/intro/SB388.pdf>. Sponsor: Senator Rob Mayer (R)

CREO Comment: CREO anticipates submitting comments in favor of this legislation.

STATE OF MISSOURI FINAL RULE

(Effective 30 December 2006) MO Department of Natural Resources Final Amendments: Universal Waste, Lamps, Electronics Rules (2880) (10 CSR 25-16.273). The Department has adopted amendments concerning universal waste definitions. The amendments correct errors made when the state adopted the federal

listing of fluorescent lamps as universal waste and add other electronic wastes to the definition of universal waste. When Missouri adopted the listing of lamps as universal waste contained in the federal rule, in an effort to remove a reference to the state definition and instead reference the federal definition, references to the state definition of universal waste were removed. The result was that a situation in which lamps are excluded from the definition of universal waste in the state rule was inadvertently created. The addition of electronics wastes to the universal waste rule will legitimize the management requirements for manufacturers of E-waste throughout the state. Missouri facilities that replace or upgrade used hazardous waste lamps or electronic devices currently must manage those wastes under RCRA Subtitle C regulation if the wastes contain lead or mercury. Many Missouri facilities that would not otherwise be classified as hazardous waste generators are therefore required to undergo significant technical and paperwork burdens largely or solely because they replace or upgrade used hazardous waste lamps or electronic devices. Under the amendments, these facilities will now be able to avoid the stricter, more burdensome Subtitle C regulation by managing their discarded lamps and electronic devices as universal wastes. The effective date was 30 December 2006. The final regulations are available at <http://www.dnr.mo.gov/env/hwp/index.html>. For additional information, please contact Tim Eiken at (573) 751-3176.

STATE OF MISSOURI PROPOSED RULE

(NEW) MO Department of Natural Resources Proposed Regulations: New Source Performance Standards and Maximum Achievable Control Technology (MACT) and Emission Standards for Hazardous Air Pollutant Regulations (10 CSR 10-6.070, 10 CSR 10-6.075, 10 CSR 10-6.080). MDNR is proposing amendments to its new source performance standards, the emission standards for hazardous air pollutants, and the maximum available control technology (MACT) regulations. This rule establishes acceptable design and performance criteria for specified new or modified emission sources. The purpose of this rulemaking is to amend 10 CSR 10-6.070 to incorporate 40 CFR part 60 subparts amended between 1 July 2004 and 30 June 2005. This rule establishes emission control technology, performance criteria and work practices to achieve emission standards for sources that emit or have the potential to emit hazardous air pollutants. The purpose of this rulemaking is to amend 10 CSR 10-6.075 to incorporate 40 CFR part 63 subparts promulgated or amended between July 1, 2004 and 30 June 2005. This rule also establishes emission standards and performance criteria for new or modified sources emitting hazardous air pollutants. The purpose of this rulemaking is to amend 10 CSR 10- 6.080 to incorporate 40 CFR part 61 subparts amended between 1 July 2004 and 30 June 2005. A public hearing will be held on 29 March 2007. Comments are due 4 April 2007. The proposed amendments are available at <http://www.sos.mo.gov/adrules/moreg/current/2007/v32n2/v32n2a.pdf> (Page 139). For more information, please call Tim Eiken at (573) 751-3176.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(UPDATE) MO Department of Natural Resources Departmental Discussion: Risk-Based Remediation for Tanks (10 CSR 20-7.040). The Department is discussing a rulemaking that would establish risk-based remediation for tanks. This potential rulemaking is tied in with a larger potential rulemaking for risk-based groundwater clean up projects that is also in a discussion phase within the Department (see #MO0000771). A public meeting was held in late October 2006 to obtain stakeholder input. Two additional stakeholder meetings were held on 6 and 13 February 2007. For more information, please call Tim Eiken at (573) 751-3176.

(Effective 17 January 2007) Delegation of Authority to the State of Missouri for New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP); and Maximum Achievable Control Technology (MACT) Standards. The state of Missouri has submitted updated regulations for delegation of EPA authority for implementation and enforcement of NSPS, NESHAP, and MACT. The submissions cover new EPA standards and, in some instances, revisions to standards previously delegated. EPA's review of the pertinent regulations shows that they contain adequate and effective procedures for the implementation and enforcement of these Federal standards. This action informs the public of delegations to the above-mentioned agencies. This document is effective on 17 January 2007. For more details, please go to <http://www.epa.gov/fedrgstr/EPA-AIR/2007/January/Day-17/a527.htm>.

[\[Top\]](#)

NOTICE: With regard to any regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The 2007 Nebraska legislative session began on 3 January and will adjourn 90 legislative days thereafter (April - May 2007).

STATE OF NEBRASKA PROPOSED LEGISLATION

(NEW) Nebraska L.B. 184 - Change Hunting and Fishing Permit Provisions for Military Personnel and Veterans. L.B. 184 stipulates that any Nebraska resident who is in active military service in the National Guard or the armed forces of the United States shall be exempt from the payment of any fees provided by the laws of the State of Nebraska and established by the commission pursuant to section 37-327 for the privilege of fishing or hunting in Nebraska. For more details, please go to <http://uniweb.legislature.ne.gov/FloorDocs/Current/PDF/Intro/LB184.pdf>. Sponsor: Senator Tom Carlson (I)

(NEW) Nebraska L.B. 493 - Environmental Administrative Procedures, Groundwater, Water. L.B. 493 changes provisions related to the Water Policy Task Force and deletes obsolete language. This bill requires the Water Policy Task Force to review research done at the University of Nebraska related to implementing LB 962 of 2004, which allowed local districts to implement a tax for groundwater management activities. The measure was introduced and referred to Natural Resources Committee on 17 January 2007. For more details, please go to <http://uniweb.legislature.ne.gov/FloorDocs/Current/PDF/Intro/LB493.pdf>. Sponsor: Senator Chris Langemeier (I)

(NEW) Nebraska L.B. 583 - Electronic Scrap/Waste, Recycling. The intent of this act is to adopt an electronic recycling system that requires manufacturers of covered electronic devices to report and pay a registration fee by 1 October 2007 based on the quantity of covered electronic devices sold in the previous calendar year and to pay an additional annual fee based on sales in the state and weight in pounds sold. L.B. 583 allows for credit against the amount of fees owed based on the weight of covered electronic devices that were collected, refurbished and donated for reuse. It also allows manufacturers to submit a take-back program plan in lieu of fee payments and establishes other provisions of the program for electronic recycling. This measure was introduced and referred to Natural Resources Committee on 17 January 2007. A hearing is scheduled for 22 February where the committee will hear support and opposition testimony. The chair may call for a vote on the bill. Prospects for committee passage are unclear as the 2006 general election created a large turnover in the membership of the Nebraska Legislature because half of the membership of the Natural Resources committee is freshmen. According to the sponsor's staff, Senator Preister has been working on electronic recycling legislation for six years. This bill is a slight variation on model legislation drafted by the Council of State Governments and the Northeast Recycling Council. Sponsor is the Vice Chairman of the powerful Executive Board Committee. For more details, please go to <http://uniweb.legislature.ne.gov/FloorDocs/Current/PDF/Intro/LB583.pdf>. Sponsor: Senator Donald Preister (I)

(NEW) Nebraska L.B. 591 - Land Use. This bill changes zoning regulations such that if the corporate limits of a city are adjacent to a governmental installation that cannot be annexed, the governmental installation shall be considered to lie within the corporate limits of the city. According to the sponsor's staff, this measure was introduced in order to allow Bellevue, Nebraska to annex to the south and stay contiguous to Offutt Air Force Base. The measure was introduced and referred to Natural Resources Committee on 17 January 2007. For more details, please go to <http://uniweb.legislature.ne.gov/FloorDocs/Current/PDF/Intro/LB591.pdf>. Sponsor: Senator Abbie Cornett (I)

(NEW) Nebraska L.B. 704 - Environmental Administrative Procedures, Water, Water Quality. The purpose of this measure is to comply with federal Clean Water Act standards, with a goal of meeting those standards by January 2027. This measure requires NDEQ to establish a plan to report total maximum daily load allocations of every stream, lake and public reservoir that failed to meet Nebraska surface water quality standards as of 1 January 2007. L.B. 704 was introduced on 17 January 2007 and referred to the Natural Resources Committee on 19 January. For more details, please go to <http://uniweb.legislature.ne.gov/FloorDocs/Current/PDF/Intro/LB704.pdf>. Sponsor: Senator Donald Preister (I)

STATE OF NEBRASKA FINAL RULE

(Effective 13 December 2006) NE Department of Environmental Quality Final Regulations: Air Quality Amendments (Title 129, Chapters 6, 17, 18, 28, and Appendices II and III). The Department adopted amendments to Title 129 that include revisions to the emissions reporting requirements, construction permit requirements, new source performance standards, and regulations governing hazardous air pollutants. The effective date was 13 December 2006. The final regulations are available at <http://www.sos.state.ne.us/business/regtrack/index.cgi>. For more information, please call Bev Kellison (402) 471-2186.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(Effective 17 January 2007) Delegation of Authority to the State of Nebraska for New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP); and Maximum Achievable Control Technology (MACT) Standards. The state of Nebraska has submitted updated regulations for delegation of EPA authority for implementation and enforcement of NSPS, NESHAP, and MACT. The submissions cover new EPA standards and, in some instances, revisions to standards previously delegated. EPA's review of the pertinent regulations shows that they contain adequate and effective procedures for the implementation and enforcement of these Federal standards. This action informs the public of delegations to the above-mentioned agencies. This document is effective on 17 January 2007. For more details, please go to <http://www.epa.gov/fedrgstr/EPA-AIR/2007/January/Day-17/a527.htm>.

[\[Top\]](#)

FEDERAL ACTIONS

EPA FINAL RULE

(Effective 5 February 2007) Unregulated Contaminant Monitoring Regulation (UCMR) for Public Water Systems Revisions. The Safe Drinking Water Act (SDWA), as amended in 1996, requires the United States Environmental Protection Agency (EPA) to establish criteria for a program to monitor unregulated contaminants and to publish a list of contaminants to be monitored every five years. EPA published the first set of contaminants in 1999. This final regulation meets the SDWA requirement by publishing the next set of unregulated contaminants to be monitored and the requirements for such monitoring. This final rule describes the design for the second Unregulated Contaminant Monitoring Regulation (UCMR) cycle (i.e., UCMR 2) of 2007-2011. EPA is requiring monitoring of 25 chemicals using 5 different analytical methods. UCMR 2 monitoring will occur during 2008-2010. Implementation of this final rule will benefit the environment by providing EPA and other interested parties with scientifically valid data on the occurrence of these contaminants in drinking water, thereby permitting the assessment of the population potentially being exposed and the levels of that exposure. These data are the primary source of occurrence and exposure data for the Agency to determine whether to regulate these contaminants. This final rule is effective on 5 February 2007. For more details, please go to <http://www.epa.gov/fedrgstr/EPA-WATER/2007/January/Day-04/w22123.htm>.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

ALERT: Basic Information Regarding the Final Ground Water Rule and its Impact on the Army. The final Ground Water Rule (GWR) increases protection against disease-causing viruses and bacteria (i.e., fecal contamination) for public water systems that use ground water sources. The rule requires all Army ground water-based systems to take corrective action if: (1) significant deficiencies are found during state-conducted sanitary surveys or (2) source water fecal contamination exists. This is the first time ever that EPA has required corrective action and sanitary surveys of ground water systems that have fecal contamination or are susceptible to fecal contamination. Affected Army PWS will be required to monitor ground water sources for the presence of *E. coli*, enterococci, or coliphage. Army systems that have source water fecal contamination based on monitoring data or have significant deficiencies based on state-conducted sanitary surveys will be required to take corrective action. The compliance date for triggered monitoring, associated corrective actions, and compliance monitoring is

1 December 2009. Compliance dates for assessment source water monitoring and associated corrective actions are determined by the state. States must complete their initial round of sanitary surveys by December 31, 2012 for most community water systems (CWSs) and conduct follow-on surveys every three years for these systems. Initial sanitary surveys for non-community water systems and CWSs identified by the state as outstanding performers must be completed by the state by 31 December 2014. States must conduct follow-on surveys for these systems every five years. USAEC will work with ACSIM and IMCOM Regions to assist with coordinating information and resource planning for monitoring and corrective actions as required. USAEC also recommends that installations conduct early monitoring prior to the compliance deadline to determine any risk and to program funds for corrective actions prior to compliance deadlines. For more information, please go to <http://www.epa.gov/fedrgstr/EPA-WATER/2006/November/Day-08/w8763.pdf> or call (410) 436-1203.

EPA Federal Facilities Issues Draft Guidance to Assess Explosive Hazards at Sites with Munitions.

On 22 January 2007, EPA issued draft guidance for evaluating explosive hazards at military bases and other federal sites containing munitions or unexploded ordnance. The draft document, Munitions and Explosives of Concern Hazard Assessment Guidance, also presents approaches to assess the effects of removal and remedial actions at these sites under the Comprehensive Environmental Response, Compensation, and Liability Act. The guidance is designed for use at munitions response sites, which are discrete locations within defense sites such as former firing ranges or munitions burial ranges, according to EPA. "Munitions response" includes investigation, removal, and remedial actions to address the safety, human health, or environmental risks presented by unexploded ordnance, discarded military munitions, or the constituents of munitions. The document, Munitions and Explosives of Concern Hazard Assessment Guidance (Public Review Draft), appendices, and comment form is available at http://www.epa.gov/fedfac/documents/public_review_draft_mec_ha_guidance_nov2006.pdf.

[\[Top\]](#)

REGIONAL MEETINGS

2007 Army Environmental Training Symposium. This symposium will not be held in 2007. The Directorate of Environmental Integration (DEI) at the US Army Engineer School (USAES) with instructors from USAEC and other Army environmental organizations will be planning for a symposium in 2008.

Association of the United States Army. This meeting will be held in **Kansas City, Missouri** in **17-19 April 2007**. More information will be included, when it becomes available.

[\[Top\]](#)

TRAINING COURSES AND WORKSHOPS

USACE PROSPECT Training. The FY07 Proponent-Sponsored Engineer Corps Training (PROSPECT) Program is now available on line at <http://pdsc.usace.army.mil>. The Purple Book, which includes the proposed scheduled training classes and sessions for FY06, is found at this location. FY06 PROSPECT is offering of the following course among others:

- **The CERCLA/RCRA Process.** This 24-hour course trains USACE personnel involved with hazardous and toxic waste projects on military and civil works projects in the proper application of CERCLA, RCRA and other relevant environmental laws, regulations, and policies. This course is ISEERB approved. <http://pdsc.usace.army.mil/CourseListDetail.aspx?CtrlNbr=356>.

Hazardous Waste Management and Manifesting Initial DOT Certification Course. As part of the US Army Corps of Engineers PROSPECT Training program, this 36-hour course fulfills the initial training requirements of 49 CFR 172, Subpart H and DOD 4500.9-R as they relate to the management and transportation of hazardous waste and the use of the new hazardous waste manifest. Training topics include RCRA waste classification, land disposal restrictions and notifications, generator requirements, manifesting requirements, identification of a DOT Reportable Quantity, use of the Hazardous Materials Table, DOT requirements for determining a shipping name, properly packaging, labeling, marking and placarding, and DOT emergency response requirements, and general security awareness training. In addition, the course addresses special EPA and DOT requirements for shipping asbestos and PCBs. Course 223 is listed as an approved DOD training source in DOD 4500.9-R and is ISEERB approved. The tuition is \$1,420 per person. To register, go online at <http://pdsc.usace.army.mil/HowToRegister.aspx>. For information

about the course (<http://pdsc.usace.army.mil/CourseListDetailNewFy.aspx?CtrlNbr=223>), please call (402) 697-2562. The course is offered in **Phoenix, Arizona** on **12-16 March 2007**.

Hazardous Waste Management and Manifest DOT Recertification Course. The intent of this 16-hour USACE PROSPECT course is to fulfill the recurrent training requirements of 49 CFR 172, Subpart H as they relate to the transportation of hazardous wastes and the use of the new hazardous waste manifest. The course is listed as an approved DOD training source in DOD 4500.9-R and is ISEERB approved. The course control number is 429. The tuition for the refresher is \$700 per person. To register, go online at <http://pdsc.usace.army.mil/HowToRegister.aspx>. For information about the course (<http://pdsc.usace.army.mil/CourseListDetailNewFy.aspx?CtrlNbr=429>) or call (402) 697-2562. The course is offered in **Phoenix, Arizona** on **14-15 March 2007**. Courses are open to all federal agencies.

2007 DoD Environmental Monitoring and Data Quality Workshop. The next DoD Environmental Monitoring and Data Quality Workshop is scheduled for **26-30 March 2007** in **Albuquerque, New Mexico**, at the Albuquerque Marriott. Abstracts are being accepted for technical papers for a variety of topics. Abstracts are due by January 15, 2007; however, early submission is encouraged as space is limited. Abstract topics include: DoD emerging contaminants, performance-based contracting, Military Munitions Response Program, laboratory performance, data management and sharing, project planning, measurement uncertainty, field activities, and quality systems implementation. The Workshop also includes training opportunities in: DoD Quality System Manual (QSM) appendices, understanding the QSM for prime contractors, Staged Electronic Data Deliverables (SEDD), the Uniform Federal Policy – Quality Assurance Project Plans (UFP-QAPP) for Project Managers, and translating Data Quality Objectives (DQOs) to Measurement Quality Objectives (MQOs). More information and online registration are available at <http://www.navylabs.navy.mil/DoDChemistmeeting.htm>.

Historic Preservation Law and Section 106 Compliance. This course is the next step after the “Introduction to Cultural Resource Management Laws and Regulations” course and emphasizes legal compliance (the National Historic Preservation Act Section 106 process). It addresses legislation and the process to meet the requirements of the law to help the student support their installation’s mission. Course covers: communications with related oversight agencies (e.g., State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation); Standards for Rehabilitation; use of historic properties; Defining Historic Fabric; Maintenance and Repair of Historic buildings; Archeological Resources; Native American Issues. It is a 3 day, all day course. Please do not plan to leave early. There is no Tuition Cost for this Course. The Interservice Environmental Education Review Board (ISEERB) approves this course. The course will be held on **17-19 April 2007** at **Tucson, Arizona**. For more information or to register, please go to <https://www.cecos.navy.mil>.

Introductory Risk Communication Workshop. This Introductory Risk Communication Workshop helps anticipate, analyze, and address issues that could affect an organization’s mission. The workshop applies the use of lectures with interactive discussions, individual work, group work, use of numerous videos to demonstrate points, use of a personal instrument and other exercises including what to take back to work from the workshop. The training includes how to develop a risk communication strategy and plan for any issue for both internal and external stakeholders. The workshop will be held in **St. Louis, Missouri** on **5-7 June 2007**. For more details, please go to <http://chppm-www.apgea.army.mil/risk>.

CERCLA Removal Process Training Course. CERCLA Remedial Project Managers (RPM) and their state, tribal, and other federal agency counterparts are notified regarding the upcoming CERCLA Education Center’s offering of the Removal Process for RPMs course to be held on **4-5 December 2007** in **Kansas City, Kansas** at the EPA Region 7 office. The Removal Process for Remedial Project Managers (RPM) training focuses on aspects of the process and the methods of integrating removal actions at remedial sites to quickly complete Superfund response activities. By attending the course, participants will achieve the following objectives:

- Understand the laws, regulations, policies, and processes involved in Superfund removal actions. The course provides an overview of removal actions to help RPMs understand the role they play in the Superfund cleanup program.
- Identify removal authorities, recognize situations in which removal actions are appropriate, and initiate removal actions. The course examines approaches to evaluate and initiate removal actions, emphasizing such challenges as meeting applicable or relevant and appropriate requirements during removal actions.
- Summarize the steps to be taken to implement a removal action and complete the necessary closeout procedures. The course provides a systematic review of the conduct of a removal action, from initial activities on site through closeout.
- Apply the RPM’s new knowledge to real-life situations.

- Participants are challenged to use the information acquired during the course to complete realistic exercises and case studies. They also have the opportunity to consider examples of issues and problems that arise during Superfund removal actions and the resolutions to such issues.

For additional information, please find attached the flyer for the course. To register for this course, visit <http://www.trainex.org/offeringslist.cfm?courseid=53>.

[\[Top\]](#)

CONFERENCES AND SYMPOSIUMS

2007 Conference on Design and Construction Issues at Hazardous Waste Sites. To be held on **4-5 April 2007** in **Philadelphia, Pennsylvania**, this conference is hosted by the EPA and the US Army Corps of Engineers. It will provide a forum for discussion between the private sector and the federal, state, local, and tribal governments regarding design and construction issues at hazardous waste sites, including effective methods, lessons learned, application of technologies, and field approaches. For more information or to register please see the conference website at <http://hq.environmental.usace.army.mil/rdra-07>.

Second National Conference on Ecosystem Restoration (NCER). This conference is an interdisciplinary setting to experience state-of-the art science and engineering planning and policy in a partnership environment and to formulate goals and approaches to ecosystem restoration. The conference will provide many opportunities to learn about ecosystem restoration efforts throughout the country and to learn about ecosystem restoration programs including Missouri River Basin, Parks, Canada, Agency efforts, Louisiana Coastal Area, Columbia River, Everglades, San Francisco Bay/Delta, Chesapeake Bay, Great Lakes, Puget Sound, and the Mississippi River Basin just to mention a few. NCER will be held on **22-27 April, 2007** in **Kansas City, Missouri**. For more details and registration information, please go to <http://conference.ifas.ufl.edu/NCER2007/index.html>.

National Site Assessment Symposium (NSAS). The purpose of the NSAS and Training is to provide an opportunity for the sharing of information among Federal, State, and Tribal stakeholders about new and changing approaches and policies in Superfund hazardous waste cleanup that affect site assessment activities. Training sessions will be offered on Tuesday, June 19, and the Symposium presentations will occur on **20-21 June 2007**. On Thursday, 22 June, there may be a site visit (still to be determined). The location for the symposium and training is the Holiday Inn City Center, **Denver, Colorado**. For more information, please go to <http://www.trainex.org/nsas/>.

[\[Top\]](#)

Acronyms and Abbreviations The list of acronyms and abbreviations can be found on the AEC web site at <http://aec.army.mil/usaec/reo/creo03.html> and on DENIX at <https://www.denix.osd.mil/denix/State/Partnering/REC/rec.html> (click Information Library).

ACSIM = Assistant Chief of Staff for Installation Management
 ADEQ = Arkansas Department of Environmental Quality
 AEA = Atomic Energy Act of 1954
 AEDB = Army Environmental Database
 AERO = Army Environmental Reporting Online
 AFCEE = U.S. Air Force Center for Environmental Excellence
 AFIT = Air Force Institute of Technology
 AIMO = Associated Industries of Missouri
 AMOC = Adaptive Management Oversight Committee
 ANPR = Advance Notice of Proposed Rulemaking
 ANSI = American National Standards Institute
 APA = American Planning Association
 APC&EC = Arkansas Pollution Control and Ecology Commission
 AQCR = Air Quality Control Region
 AQI = Air Quality Index
 AST = aboveground storage tank
 ASTM = American Society for Testing and Materials
 ASTSWMO = Association of State and Territorial Solid Waste Management Officials

ATV = all-terrain vehicle
 AWMA = Air & Waste Management Association
 BAT = best available technology
 BGEPA = Bald and Golden Eagle Protection Act
 BIA = Bureau of Indian Affairs
 BOR = Bureau of reclamation
 BRAC = Base Realignment and Closure
 CAA = Clean Air Act
 CACO = Congressional Affairs Contact Officer
 CADD = computer-aided design and drafting
 CAM = compliance assurance monitoring
 CAMU = corrective action management unit
 CARB = California Air Resources Board
 CBT = computer-based training
 CCAR = Coordinating Committee for Automotive Repair
 CCP = Comprehensive Conservation Plan
 C&D = construction and demolition
 CECOS = Civil Engineer Corps Officers
 CenSARA = Central States Air Resources Agencies
 CEPPO = Chemical Emergency Preparedness and Prevention Office
 CERCLA = Comprehensive Environmental Response, Compensation and Liability Act
 CESQG = conditionally exempt small-quantity generator
 CFC = chlorofluorocarbon
 CFR = Code of Federal Regulations
 CHPPM = U.S. Army Center for Health Promotion and Preventative Medicine
 CINWL = commercial industrial nonhazardous waste landfill
 CISWI = commercial and industrial solid waste incinerator
 CO = carbon monoxide
 CREO = Central Regional Environmental Office
 CSR = Code of State Regulations
 CTIC = Conservation Technology Information Center
 CTT = closing, transferring and transferred ranges
 CWA = Clean Water Act
 DAC = Defense Ammunition Center
 DBP = disinfection byproduct
 DBPR = Disinfectants and Disinfection Byproducts Rule
 DEI = Directorate of Environmental Integration
 DENIX = Defense Environmental Network & Information eXchange
 DERP = Defense Environmental Restoration Program
 DFW = Dallas/Fort Worth
 DNT = dinitrotoluene
 DoD = U.S. Department of Defense
 DOE = U.S. Department of Energy
 DOI = U.S. Department of Interior
 DOT = U.S. Department of Transportation
 DRMS = Defense Reutilization and Marketing Service
 DSMOA = Defense/State Memorandum of Agreement
 EA = environmental assessment
 EAC = Early Action Compact
 ECAS = Environmental Compliance Assessment System
 ECHO = Enforcement and Compliance History Online
 ECOS = Environmental Council of the States
 ECSR = Environmental Compliance Status Report
 EIS = environmental impact statement
 EMR = environmental management review
 EMS = environmental management system
 EO = executive order
 EPA = U.S. Environmental Protection Agency
 EPAS = Environmental Performance Assessment System
 EPCRA = Emergency Planning and Community Right-to-Know Act

ER = environmental restoration
 ERC = Emission Reduction Credit
 ERTTP = Environmental Response Training Program
 ETMD = Environmental Training and Management Division
 EVR = Enhanced Vapor Recovery
 FAA = Federal Aviation Administration
 FEIS = Final Environmental Impact Statement
 FIFRA = Federal Insecticide, Fungicide and Rodenticide Act
 FFEO = Federal Facilities Enforcement Office
 FM = facilities management
 FR = Federal Register
 FS = Feasibility Study
 FUDS = Formerly Used Defense Sites
 FY = fiscal year
 GAO = General Accounting Office
 GCP = general construction permit
 GIS = geographic information system
 gpd = gallons per day
 GSA = General Services Administration
 HAP = hazardous air pollutant
 HAZMAT = hazardous materials
 HAZWOPER = Hazardous Waste Operations and Emergency Response
 HB = House Bill
 HGA = Houston/Galveston Area
 HJR = House Joint Resolution
 HM = hazardous material
 HMIRS = Hazardous Materials Information Resource System
 HMIWI = hospital/medical/infectious waste incinerator
 HMX = high melting point explosive
 HQ = headquarters
 HRVOC = highly-reactive volatile organic compounds
 HSB = House Study Bill
 HTRW = hazardous/toxic and radioactive waste
 IAC = Iowa Administrative Code
 IBR = Incorporated By Reference
 IDNR = Iowa Department of Natural Resources
 IDOT = Iowa Department of Transportation
 IESWTR = Interim Enhanced Surface Water Treatment Rule
 I&M = inspection and maintenance
 IMI = Installation Management Institute
 INSTEP = International Society of Technical and Environmental Professionals
 ISEERB = Interservice Environmental Education Review Board
 ISO = International Organization for Standardization
 ISR = Installation Status Report
 ITAM = Integrated Training Area Management
 ITRC = Interstate Technology Regulatory Council
 JRTC = Joint Readiness Training Center
 KAR = Kansas Administrative Rules
 KCMA = Kansas City Metropolitan Area
 KDA = Kansas Department of Agriculture
 KDHE = Kansas Department of Health and Environment
 kW = kilowatt
 LAC = Louisiana Administrative Code
 LAMW = low-activity mixed waste
 LANL = Los Alamos National Laboratory
 LB = legislative bill
 LDEQ = Louisiana Department of Environmental Quality
 LDR = land disposal restriction
 LLRW = low level radioactive waste
 LPDES = Louisiana Pollutant Discharge Elimination System

LPST = leaking petroleum storage tank
 LQG = large quantity generator
 LT1ESWTR = Long Term 1 Enhanced Surface Water Treatment Rule
 LT2ESWTR = Long Term 2 Enhanced Surface Water Treatment Rule
 LUC = land use control
 LUST = leaking underground storage tank
 MACT = maximum achievable control technology
 MVEBs = Motor Vehicle Emission Budgets
 MCL = maximum contaminant level
 MCLG = maximum contaminant level goal
 MDNR = Missouri Department of Natural Resources
 MDS = minimum desirable streamflow
 MSDS = Material Safety Data Sheet
 MEG = Military Environmental Group
 MEGCs = multiple-element gas containers
 MEK = methyl ethyl ketone
 mg/L = milligram per liter
 mg/yr = megagrams per year
 MMR = Military Munitions Rule
 mph = mile per hour
 MP&M = metal products and machinery
 M2R = Military Munitions Rule
 mrem = millirem
 mrem/yr = millirem per year
 MRDLGs = maximum residual disinfectant level goals
 MS4 = municipal separate storm sewer system
 MSDS = material safety data sheet
 MSWG = Multi-State Working Group
 MSWLF = municipal solid waste landfill
 MSWTS = municipal solid waste transfer station
 MTBE = methyl tertiary butyl ether
 MVECP = Motor Vehicle and Engine Compliance Program
 MVEB = Motor Vehicle Emission Budget
 MWC = municipal waste combustion
 NAAQS = National Ambient Air Quality Standard
 NAICS = North American Industry Classification System
 NDEQ = Nebraska Department of Environmental Quality
 NDIA = National Defense Industrial Association
 NEPA = National Environmental Policy Act
 NESHAP = National Emission Standards for Hazardous Air Pollutants
 NFPA = National Fire Protection Association
 NGWA = National Ground Water Association
 NHPA = National Historic Preservation Act
 NMAC = New Mexico Administrative Code
 NMED = New Mexico Environment Department
 NMOC = non-methane organic compound
 NO_x = nitrogen oxides
 NORM = naturally occurring radioactive material
 NPDES = National Pollutant Discharge Elimination System
 NRC = Nuclear Regulatory Commission
 NREO = Northern Regional Environmental Office
 NREP = National Registry of Environmental Professionals
 NSP = new source performance
 NSR = new source review
 OAC = Oklahoma Administrative Code
 OCLL = Office of Chief, Legislative Liaison
 ODEQ = Oklahoma Department of Environmental Quality
 OE = ordnance and explosives
 OFR = Office of the Federal Register
 OMB = Office of Management and Budget

OMEG = Oklahoma Military Environmental Group
 ORVR = onboard refueling vapor recovery
 OSHA = Occupational Safety and Health Administration
 OSPRA = Oil Spill Prevention and Response Act
 OSSF = on-site sewage facility
 OSWER = Office of Solid Waste and Emergency Response
 P2 = pollution prevention
 PASS = Permit Application Software System
 PAL = plant-wide applicability limitation
 PBR = permit by rule
 PBT = persistent bioaccumulative toxin
 PCB = polychlorinated biphenyl
 pCi/L = picocurie per liter
 PEMS = Predictive Emission Monitoring Systems
 PER = Permitting for Environmental Results
 PHMSA = Pipeline And Hazardous Materials Safety Administration
 P.L. = public law
 PM = particulate matter
 PM_{2.5} = Fine Particulate Matter with a diameter smaller than 2.5 microns
 POC = point of contact
 POM = Program Objective Memorandum
 POTW = publicly owned treatment works
 ppb = part per billion
 ppm = part per million
 PRP = potentially responsible party
 PSD = prevention of significant deterioration
 PST = petroleum storage tank
 PSTTF = Petroleum Storage Tank Trust Fund
 PTE = potential to emit
 PWS = public water system
 RACM = reasonably available control measures
 RACT = reasonably available control technology
 RCRA = Resource Conservation and Recovery Act
 RDX = Royal Demolition eXplosive
 REC = Regional Environmental Coordinator
 REGFORM = Regulatory Environmental Group for Missouri
 RFG = reformulated gasoline
 RI = remedial investigation
 RICE = reciprocating internal combustion engine
 ROD = record of decision
 SAME = Society of American Military Engineers
 SB = Senate Bill
 SDWA = Safe Drinking Water Act
 SDWIS = Safe Drinking Water Information System
 SERDP = Strategic Environmental Research and Development Program
 SIC = Standard Industrial Classification
 SIP = State Implementation Plan
 SM = Senate Measure
 SO₂ = Sulfur dioxide
 SPCC = Spill Prevention, Control, and Countermeasure
 SQG = small quantity generator
 SREO = Southern Regional Environmental Office
 TAC = Texas Administrative Code
 TBD = to be determined
 TCEQ = Texas Commission on Environment Quality
 TCM = transportation control measure
 TDS = total dissolved solids
 TEFs = Toxicity equivalency factors (related to dioxins)
 TEQ = Toxicity equivalency (related to dioxins)
 TERP = Texas Emissions Reduction Plan

TIM = Transformation of Installation Management
TMDL = total maximum daily load
TPDES = Texas Pollutant Discharge Elimination System
TRI = Toxics Release Inventory
TRI-DDS = Toxics Release Inventory – Data Delivery System
TRRP = Texas Risk Reduction Program
TSCA = Toxic Substances Control Act
TSP= Total Suspended Particulate
tpy = tons per year
TNT = trinitrotoluene
TXEP = Texas Environmental Partnership
UIC = underground injection control
UN = United Nations
USACE = U.S. Army Corps of Engineers
USAEC = U.S. Army Environmental Center
U.S.C. = United States Code
USFWS = U.S. Fish and Wildlife Service
USGS = U.S. Geological Survey
UST = underground storage tank
UXO = unexploded ordnance
VOC = volatile organic compound
WET = whole effluent toxicity
WMM = waste military munitions
WQBEL = water quality-based effluent limit
WQMP = Water Quality Management Plan
WREO = Western Regional Environmental Office
ug/L = microgram per liter

